

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

DOUGLAS O. SPROULE,

Petitioner,

v.

JERI TAYLOR,

Respondent.

Civ. No. 2:16-cv-01592-MK

OPINION & ORDER

AIKEN, District Judge.

This case comes before the Court on Petitioner's Motion for Reconsideration, ECF No. 159. The Court concludes that this motion is appropriate for resolution without oral argument. Local Rule 7-1(d)(1). The motion is DENIED.

LEGAL STANDARD

A district court is permitted to reconsider and amend a previous order pursuant to Federal Rule of Civil Procedure 59(e). A motion for reconsideration, however, is "an extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000) (internal citations omitted).

Reconsideration is appropriate only of "the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *389 Orange St.*

Partners v. Arnold, 179 F.3d 656, 665 (9th Cir. 1999). However, “[m]otions for reconsideration are not the proper vehicles for rehashing old arguments and are not intended to give an unhappy litigant one additional chance to sway the judge.”

Shah v. Aerotek, Inc., Case No. 3:21-cv-422-SI, 2021 WL 3521142, at *1 (D. Or. Aug. 10, 2021) (internal quotation marks and citations omitted).

DISCUSSION

In his motion, Petitioner seeks reconsideration of the Court’s Order, ECF No. 157, affirming the Opinion and Order of Magistrate Judge Kasubhai, ECF No. 109, denying Petitioner’s discovery motions, ECF Nos. 60, 61. In his motion, Petitioner asserts that the Court committed clear error in affirming Judge Kasubhai’s decision. Petitioner’s arguments are, however, a reprise of arguments he has previously made to this Court and which were rejected. The Court finds no cause to depart from its previous conclusions and Petitioner’s motion is DENIED.

CONCLUSION

For the reasons set forth above, Petitioner’s Motion for Reconsideration, ECF No. 159, is DENIED.

It is so ORDERED and DATED this 16th day of March 2022.

/s/Ann Aiken
ANN AIKEN
United States District Judge